

Message Text

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12

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INFO OCT-01 EA-09 ISO-00 DHA-02 VO-03 SCA-01 INSE-00 /018 R

DRAFTED BY D/HA/ORM: RFDORR: BH

APPROVED BY D/HA/ORM: JCARLIN

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FM SECSTATE WASHDC

TO AMCONSUL OSAKA KOBE

UNCLAS STATE 267392

E.O. 11652: N/A

TAGS: SREF

SUBJECT: INDOCHINA REFUGEE PHAM MANH KHA AND FAMILY

REF: OSAKA KOBE 2310

1. FACT THAT PHAM MANH KHA HAS RESIDED IN JAPAN FOR TWELVE YEARS, WHERE HE ACQUIRED ADVANCED DEGREE AND JAPANESE SPOUSE, WOULD EFFECTIVELY REMOVE HIM FROM CONSIDERATION FOR PAROLE AS INDOCHINA REFUGEE, UNLESS THERE EXISTS COMPELLING HUMANITARIAN CONSIDERATIONS NOT SET FORTH REFTEL. SINCE INS/CO HAS DETERMINED THAT REQUESTS FOR PAROLE MUST NOW BE CONSIDERED ON AN INDIVIDUAL, CASE-BY-CASE BASIS, WE CANNOT GIVE GENERAL RESPONSE TO POST'S QUERY ABOUT THIRD-COUNTRY INDEPENDENTS, BUT IN THIS PARTICULAR CASE THE FACT THAT SUBJECT IS MARRIED TO A CITIZEN OF COUNTRY WHERE HE RESIDES WOULD SEEM TO REDUCE EVEN FURTHER LIKELIHOOD THAT HE HAS A VALID CLAIM TO PAROLE.

2. POST MAY, OF COURSE, PROCESS SUBJECT'S APPLICATION FOR AN IMMIGRANT VISA CONSISTENT WITH PERTINENT REGULATIONS INGERSOLL

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